

COPY

WAIVER OF SERVICE OF SUMMONS

TO: Robert C. Weldon, DL-7681
(Name of plaintiff's attorney or pro se plaintiff)

I acknowledge receipt of your request that I waive service of a summons in the action of Weldon, Robert VS Anthony Nork, which is case number 1:01-CV-1098 in the United States District Court for the Middle District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 8/10/01 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

8/16/01
DATE

Francis R. Filipi
SIGNATURE

Printed/typed name: Francis R. Filipi
Title, if any: Senior Deputy Attorney General

Address of Person signing: Office of Attorney General, Litigation Section
15th Floor, Strawberry Square
Harrisburg, PA 17120

Party you represent: Anthony J. Nork, Corrections Officer I

FILED
SCRANTON

AUG 27 2001

PER [Signature]
DEPUTY CLERK

Original

AO 440 (Rev. 10/93) Summons in a Civil Case

United States District Court

MIDDLE DISTRICT OF PENNSYLVANIA

SUMMONS IN A CIVIL CASE

Robert C. Weldon, Plaintiff

CASE NUMBER: 1:CV-01-1098

William W. Caldwell

v.

Mr. Nork, Defendant

To: (For the name and address of defendant(s): **SEE COMPLAINT**)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY
Robert C. Weldon, DL 7681, SCI @ Dallas, Drawer K, Follies Road, Dallas, PA 18

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MARY E. D'ANDREA, Clerk

DATE: August 6, 2001

Ann Severino Michael
(By) Ann Severino-Michael, Deputy Clerk

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RECEIVED
USMS, MIDDLE/PA